

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE EIGHTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 2000 of 2005

Between:

Nageswara Rao S/o. Sankara Rao
R/o. Basara, Mudhole Mandal, Adilabad District.

..... PETITIONER

AND

1. The Joint Collector, Adilabad District
2. The Revenue Divisional Officer, Nirmal, Adilabad.
3. The Asst. Commissioner, Endowment Department, Adilabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ order or direction more particularly one in the nature of *Writ of Mandamus* declaring the proceedings of the 2nd respondent No. D/3475/04 dated 8-10-2004 as illegal, arbitrary and in violation of the provisions of Sections 4 to 8 and 10 of A.P. Telangana Area Abolition of Inams Act 1955 and consequently set aside the same further directing the 2nd respondent to consider the application of the petitioner for grant of occupancy certificate.

Counsel for the Petitioner: MR.V.RAVINDER RAO

Counsel for the Respondents: GP FOR REVENUE

The Court at the admission stage made the following:

ORDER:

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This writ petition is filed aggrieved by the order of the second respondent dated 08.10.2004 granting an occupancy certificate in favour of the third respondent under the provisions of A.P. (Telengana Area) Abolition of Inams Act, 1955, (hereinafter referred to 'Act') in respect of the land to an extent of 18.19 guntas situated in Sy.No.438 of Basar Village. The petitioner states that against the said order, though he preferred an appeal under Section 24 of the Act before the first respondent together with an application for stay, the first respondent failed to consider the same and in the meanwhile the third respondent is taking steps to take possession of the land in question.

2 . Having heard the learned counsel for the petitioner and the learned Government Pleader appearing for the respondents and particularly keeping in view that the statutory appeal before the first respondent is pending, without expressing any opinion on merits, the writ petition is disposed of directing the first respondent to consider the application for stay filed by the petitioner in the appeal filed against the order dated 8.10.2004 of the second respondent and to pass appropriate orders in accordance with law, as expeditiously as possible, preferably within a period of four weeks from the date of receipt of a copy of this order. Till such time, the status quo obtaining as on today as to the nature and possession of the land in question shall be maintained.

Accordingly, the writ petition is disposed of. No costs.

(G. ROHINI, J)

Date: 08.02.2005

Note: Wire operative portion at party's cost.

B.O.

Ksn

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Joint Collector, Adilabad District
2. The Revenue Divisional Officer, Nirmal, Adilabad.
3. The Asst. Commissioner, Endowment Department, Adilabad.
4. Two C.Cs to G.P. for Revenue, High Court Buildings, Hyderabad (OUT).
5. Two C.D. Copies.

Form-NIC-OGS/WP{VSMI}